FARAD CONTINUATION SHEET NO.:

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE
CIVIL APPLICATION NO.3234 OF 2005
IN
FIRST APPEAL NO.1919 OF 2005

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr M.A.Utgirkar, for applicant.
Mr S.M.Vidharthi, for the respondents.
Mr Mishra i/b Mr A.R.Pandey, for respondent no.2.

CORAM: D.B.BHOSALE,J.
DATED: 13.11.2006

P.C.:

Heard the learned counsel for the parties.

Having considered the overall facts and circumstances of the case and the question of law raised by the respondent-insurance company as also the operative part of the order passed by the court below, I am satisfied that the following order shall meet the ends of justice.

(a) The applicant is allowed to withdraw Rs.50,000/- only out of the amount deposited by the respondent-instance company.

(b) Liberty to the parties to apply for a fixed date of hearing after three months.

(c) Respondent-insurance company has deposited Rs.6,52,296/-. After deducting Rs.50,000/- therefrom, the remaining amount, which has been deposited in the trial Court, is directed to be invested in any of the nationalised Banks initially for a period of one year. If the appeal is not disposed of till then, the Registrar of the Tribunal shall keep renewing the fixed deposit till the disposal of this appeal.

The civil application is disposed of.

(D.B.BHOSALE,J.)